

Notice of Allowability

Application No.

09/927,162

Applicant(s)

COOKMAN ET AL.

Examiner

Prenell P. Jones

Art Unit

2668

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/15/05.
2. ☒ The allowed claim(s) is/are 1-4, 7, 9-12 and 18-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Reason for Allowance

1. Claims 1-4, 7, 9-12 and 18-22 are allowed over prior art.
2. The following is an examiner's statement of reasons for allowance: Although the combined cited art discloses monitoring the transfer of data associated with buffer storage and the use of various counters for the purpose of flow control, however, they fail to teach or suggest monitoring the transfer of data from a real-time data transfer system to a signal processor wherein a counter/counters is configured to increment and decrement each time data is sent, thereby allowing the counter to count beyond the physical range (over-range counter) of buffer storage in real-time signal processing environment. In addition, Applicant has filed a terminal disclaimer, which corrects the previous double patenting rejection.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones 

October 21, 2005



**CHIEH M. FAN
PRIMARY EXAMINER**

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Stevens on October 27, 2005.

The application has been amended as follows:

Regarding claim 1; in line 20, "the counter" is changed to "the second counter."

" " in line 21, "the buffer" is changed to "the second circular buffer."

Regarding claim 2; in line 1, "the counter" is changed to "the first counter."

" " in line 3, "the counter" is changed to "the first counter."

Regarding claim 3; in line 1, "the counter" is changed to "the first counter."

Regarding claim 4; in line 2, "the counter" is changed to "the first counter."

Regarding claim 5; in line 1, "Cancel Claim 5" is changed to "(Canceled)."

Regarding claim 6; in line 1, "Previously Cancelled" is changed to "(Canceled)."

Regarding claim 7; in line 12, "subsequent a interrupt" is changed to
"subsequent interrupt."

Regarding claim 8; in line 1, "Cancel Claim 8" is changed to "(Canceled)."

Regarding claim 10; in line 15, "subsequent a interrupt" is changed to
"subsequent interrupt."

Regarding claim 12; in line 5, "first buffer means" is changed to "buffer means."

Regarding claim 13; in line 1, "Cancel Claim 13" is changed to "(Canceled)."

Regarding claim 14; in line 1, "Previously Cancelled" is changed to
"Cancelled."

Regarding claim 15; in line 1, "Cancel Claims 15-17" is changed to "Canceled."

Regarding claim 16; insert "16. "(Canceled)."

Regarding claim 17; insert "17. "(Canceled)."

Regarding claim 18; in line 20, "the counter" is changed to "the second counter."
in line 21, "the buffer" is changed to "the second buffer."

Regarding claim 19; in line 1, "the counter circuit" is changed to "the counter
means."

" " in line 3, "conter" is changed to "counter."

in line 5, "circular buffer" is changed to "buffer
means."

in line 10, "second circular buffer" is changed to "buffer
means."

in line 11, "second circular buffer" is changed to "buffer
means."

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Regarding claim 19; in line 13, "second circular buffer" is changed to "buffer means."

in line 13, "the counter" is changed to "the second counter"

in line 14, "the buffer" is changed to "the buffer means"

Regarding claim 20; in line 2, "counter" is changed to "first counter."

Regarding claim 21; in line 2, "the counter" is changed to "the first counter."

Regarding claim 22; in line 2, "the counter" is changed to "the first counter."

Regarding claim 23; in line 1, "Cancel Claim 23" is changed to "(Canceled)."



CHIEH M. FAN
PRIMARY EXAMINER